



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,099	08/26/2003	Juan V. Esteve Balducci	M61.12-0277	3168
7590 04/09/2007 Steven M. Koehler WESTMAN CHAMPLIN & KELLY Suite 1600 - International Centre 900 South Second Avenue Minneapolis, MN 55402-3319			EXAMINER SALAD, ABDULLAHI ELMI	
			ART UNIT 2157	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED ACTION

1. This application has been reviewed. Original claims 1-22 are pending. The rejection cited stated below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Mousseau et al., U.S. Patent Application Publication No. 2002/012069[hereinafter Mousseau].

As per claim 1, Fiatal discloses a method of synchronizing folders between a mobile device and a second computing device, the method comprising:

initiating a folder synchronization request between the mobile device and the second computing device(see fig. 17, 0107);

comparing the folder hierarchy of the mobile device with the folder hierarchy of the second computing device to ascertain differences(see fig. 17, and paragraph 0102);

sending information to at least one of the mobile device and the second computing device, the information being a function of the ascertained differences between the folder hierarchies (see paragraph 0120-0122);; and

Art Unit: 2157

using the information to modify at least one of the folder hierarchy of the mobile device and the folder hierarchy of the second computing device (see fig. 17, and paragraph 0102).

As per claim 2, Mousseau discloses the method of claim 1 and further comprising: establishing a common folder hierarchy between the mobile device and the second computing device (see fig. 17).

As per claim 3-6, Mousseau discloses the method of claim 2 and further comprising: reestablishing the common folder hierarchy between the mobile device and the second computing device after modifying at least one of the folder hierarchy of the mobile device and the folder hierarchy of the second computing device(see fig. 17 and paragraph 0120-0122).

As per claims 8-11. Mousseau discloses the method of claim 1 wherein using the information comprises executing instructions on the mobile device or the second computing device to add, delete, move or rename a folder (see fig. 17 and paragraph 0120-0122).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2157

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mousseau as applied to claim 1 above, and further in view of Flanagan et al., U.S. Patent Application Publication No. 2003/004634 [hereinafter Flanagan].

As per claims 7, Fiatal discloses substantial features of the claimed invention as discussed with respect to claim 1 above:

Mousseau is silent regarding: wherein sending information comprises sending the information in a markup language format.

Flanagan Method and system for synchronizing mobile devices wherein sending information comprises sending the information in a markup language format

(see paragraph 0028). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with teaching of Mousseau to utilize the mobile device synchronization mechanism such as sending information comprises sending the information in a markup language format as taught by Flanagan thus enabling mobile devices to embed data or additional commands to be used when communicating with other devices.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2157

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdullahi Salad
As
3/29/2007


ABDULLAHI SALAD
PRIMARY EXAMINER